



**Town of Summerville  
Special Planning Commission  
The public and Town Council members are invited to attend  
December 19, 2016 - 4:00 PM  
Summerville Town Hall, Training Room  
200 S. Main Street, Summerville, SC**

*For additional information regarding items on this agenda including any public hearings, please contact the Planning Department at 843.851.5200. Applications and related documents for this meeting are available for review at any time at [www.summervillesc.gov](http://www.summervillesc.gov), Public Notices; and, in the Planning Department during regular business hours, Monday–Friday, 8:30–5:00 excluding Town of Summerville holidays.*

**I. APPROVAL OF MINUTES:**

1. Approval of minutes from meeting on November 21, 2016

**II. PUBLIC HEARINGS:** *(all public hearing signs posted on properties beginning on 12.2.16 and with notice in Post & Courier on 12.4.16)*

1. Petition to annex by John and Victoria Hammond, Dorchester County TMS#145-09-02-001 (.64 acres) located at 89 King Charles Circle, currently zoned R1, Single Family Residential in Dorchester County and will be zoned R2, Single Family Residential upon annexation into the Town of Summerville's municipal limits. (proposed Council District 5)
2. Petition to annex by MWV – Parks of Berkeley, LLC, portions of Berkeley County TMS#221-00-00-175 (total of 61.42 acres) located along Brighton Park Blvd. and Sigma Dr. near Nexton Park Blvd., currently zoned PD-MU, Planned Development Mixed Use in Berkeley County and will be zoned PUD, Planned Unit Development upon annexation into the Town of Summerville's municipal limits. (proposed Council District 2) (Note: As Plats Are Recorded Prior To Approval Of The PUD Amendment And Annexation, New TMS#'s May Be Added To This Application To Cover The Same Area To Be Annexed)
3. Request to amend the previously approved PUD for Nexton, located in the NW quadrant of the I-26 interchange with N. Main St. (US Hwy. 17-A). Properties to be affected by these proposed amendments include TMS#s 221-00-00-048; -009; -096; -044; -141; -155; -159; -150; -152; -173; -175; -179; -181; -177; -180; portion of Sheep Island Road R/W; and, miscellaneous Rights-of-Way. Proposed amendments include the addition of acreage via annexation (portion of TMS# 221-00-00-175); create a new development zone; revise parcel map; revise land use plan; update traffic impact analysis; revised land use conversion matrix; revise development criteria; and inclusion of permitted uses chart. (Note: As Plats Are Recorded Prior To Approval Of The PUD Amendment And Annexation, New TMS#'s May Be Added To This Application To Cover The Same Area To Be Annexed)

**III. OLD BUSINESS:**



#### **IV. NEW BUSINESS:**

1. Petition to annex by John and Victoria Hammond, Dorchester County TMS#145-09-02-001 (.64 acres) located at 89 King Charles Circle, currently zoned R1, Single Family Residential in Dorchester County and will be zoned R2, Single Family Residential upon annexation into the Town of Summerville's municipal limits. (proposed Council District 5)

2. Petition to annex by MWV – Parks of Berkeley, LLC, portions of Berkeley County TMS#221-00-00-175 (total of 61.42 acres) located along Brighton Park Blvd. and Sigma Dr. near Nexton Park Blvd., currently zoned PD-MU, Planned Development Mixed Use in Berkeley County and will be zoned PUD, Planned Unit Development upon annexation into the Town of Summerville's municipal limits. (proposed Council District 2) (Note: As Plats Are Recorded Prior To Approval Of The PUD Amendment And Annexation, New TMS#'s May Be Added To This Application To Cover The Same Area To Be Annexed)

3. Request to amend the previously approved PUD for Nexton, located in the NW quadrant of the I26 interchange with N. Main St. (US Hwy. 17-A). Properties to be affected by these proposed amendments include TMS#s 221-00-00-048; -009; -096; -044; -141; -155; -159; -150; -152; -173; -175; -179; -181; -177; -180; portion of Sheep Island Road R/W; and, miscellaneous Rights-of-Way. Proposed amendments include the addition of acreage via annexation (portion of TMS# 221-00-00-175); create a new development zone; revise parcel map; revise land use plan; update traffic impact analysis; revised land use conversion matrix; revise development criteria; and inclusion of permitted uses chart. (Note: As Plats Are Recorded Prior To Approval Of The PUD Amendment And Annexation, New TMS#'s May Be Added To This Application To Cover The Same Area To Be Annexed)

#### **V. MISCELLANEOUS:**

1. Schedule January and February 2017 meeting dates

#### **VI. UDO WORKSHOP:**

1. Discussion of draft chapter for signs of the Unified Development Ordinance (UDO)

#### **VII. ADJOURNMENT:**

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Chairman or Vice Chairman

Posted December 12, 2016



The Town of Summerville Planning Commission Meeting  
Minutes  
November 21, 2016

This meeting of the Town of Summerville Planning Commission was attended by Commission Members, Jim Reaves, Chairman; Margie Pizarro; Charlie Cuzzell; Will Rogan; Elaine Segelken; and, Marc Hehn, AICP. Bill Mallery was unable to attend the meeting. Staff in attendance included Madelyn Robinson, AICP, Director of Planning & Economic Development; Jessi Shuler, AICP, Town Planner and Zoning Administrator; Tim Macholl, Annexation and Development Coordinator; and, Meredith Detsch, Planner.

Jim Reaves, Chairman, called the meeting to order at 4:00 PM.

**Approval of Minutes:**

The Chairman called for a motion for the approval of the minutes from the meeting on September 19, 2016. Mr. Hehn made a motion to approve the minutes as presented with Mr. Cuzzell making the second. Following no discussion the motion carried.

**Public Hearings:**

The public hearing opened at 4:02 PM and was for the request to annex Dorchester County TMS#146-14-00-012, 247 Judith Dr., approximately 1 acre, owned by Christway Ministry, zoned R4, Multifamily in Dorchester County and will be zoned R6, Multi-Family Residential upon annexation into the Town of Summerville (proposed Council District 3). Ms. Robinson read the request into the record and noted that the representatives for the owner and buyer were in attendance to present. Mr. Davis Willis and Mr. John Dumas, the buyer and architect for the project presented the request. They stated they are working on a feasibility study for the project; that they have worked out a hammerhead design for the fire truck turnaround at the end of the drive into the property; that the building will be sprinkled; the project will consist of 12 dwelling units (about 1200-1400 sq. ft. each); that the site is surrounded by residential and institutional properties; the property is already zoned for the proposed use in the County, but because the property will be served by SCPW water and sewer, a petition must be filed with the Town to annex.

Ms. Segelken asked if the curb cut was on Miles Rd. and the applicant responded that the curb cut will be on Judith Dr. Mr. Cuzzell asked why the buffer was a class 1 at the top of property and the applicant responded that is the information staff had provided them. The applicant also stated the project will be presented to the CDRB for aesthetics and design review prior to permitting.

The Chairman asked if anyone from the public had any comments and hearing no additional requests to comment from the public, the Chairman closed the public hearing at 4:08 PM.

**Old Business**

There were no items under Old Business.

**New Business:**

The only item under New Business was the request to annex Dorchester County TMS#146-14-00-012, 247 Judith Dr., approximately 1 acre, owned by Christway Ministry, zoned R4, Multifamily in Dorchester County and will be zoned R6, Multi-Family Residential upon annexation into the Town of Summerville. Mr. Cuzzell made a motion to forward the petition to Council for approval with Ms. Segelken making the second. Mr. Hehn asked if this request was spot zoning or with the property already being zoned for



multifamily in the County that wouldn't apply and staff responded it would not be spot zoning. Following no further discussion, the motion carried.

**Miscellaneous:**

There were no items under Miscellaneous.

**Adjourn**

Mr. Cuzzell made a motion to adjourn with Ms. Segelken making the second. The motion carried and the meeting was adjourned at 4:10 PM.

Respectfully Submitted,

Madelyn H. Robinson, AICP  
Director of Planning & Economic Development

Date: \_\_\_\_\_

Approved: \_\_\_\_\_  
Jim Reaves, Chairman or Elaine Segelken, Vice Chairman





## TOWN OF SUMMERVILLE ANNEXATION APPLICATION



1. **OWNER INFORMATION:** Please complete the following application to request that your property be incorporated into the municipal limits of the Town of Summerville. Phone numbers will not be published. All owners of the property sign page two and submit it to the Planning Department.  
\*Required

\*Property Owner(s): John and Victoria Hammond

\*Mailing Address: 89 King Charles Circle \*Telephone: 770.778.3892

\*City: Summerville \*State: SC \*Zip: 29485 Email: vhwillow@gmail.com

2. **PROPERTY INFORMATION:** Municipalities must provide the U. S. Justice Department with the population demographics and the land use of each property added to the Town. Write "None" if the property is vacant. Population data is used to create voting districts and does not impact the decision to approve your annexation.

\*Property Address: 89 King Charles Circle Tax Map Number: 145-09-02-001

\*Number of Current Residents: 2 \*Race of Current Residents: C

Current Land Use: home Future Land Use: home  
(i.e. home, bank, carwash, etc.) (i.e. home, bank, carwash, etc.)

Current County Zoning Classification: ~~R-100~~ R-1

Requested Zoning Classification: ~~R-100~~ R-2

3. **SUBMIT APPLICATION:** Please submit signed\* application and a copy of the recorded plat and recorded deed to:

**MAIL:** Town of Summerville, 200 S. Main Street, Planning Department

**PICKUP:** Call the Planning Department at 843.851.5200

**FAX:** 843.871.6954



STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF Dorchester )

PETITION FOR ANNEXATION

TO THE HONORABLE MAYOR AND TOWN COUNCIL OF SUMMERVILLE

WHEREAS, SECTION 5-3-150 (3) Code of laws of South Carolina provides for the annexation of an area or property which is contiguous to a Town by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation, and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation, and

WHEREAS, the area requesting annexation is described as follows, to wit:

SAID PROPERTY, located at 89 King Charles Circle (approximately .64 acres) to be annexed is identified by the Dorchester County Assessor's Office as Property Identification Number: TMS # 145-09-02-001 to include, if necessary to establish contiguity, any road, waterway, easement, railroad track, marshland or utility line that intervenes between this property and the municipal limits of the Town of Summerville.

NOW, THEREFORE, the undersigned petition the Town Council of Summerville to annex the above described area into the municipal limits of the Town of Summerville.

Dated this 28<sup>th</sup> day of October, 2016.

FREEHOLDERS (OWNERS) SIGNED

DATE OF SIGNATURE

  
(Signature)

10/28/16  
(Date)

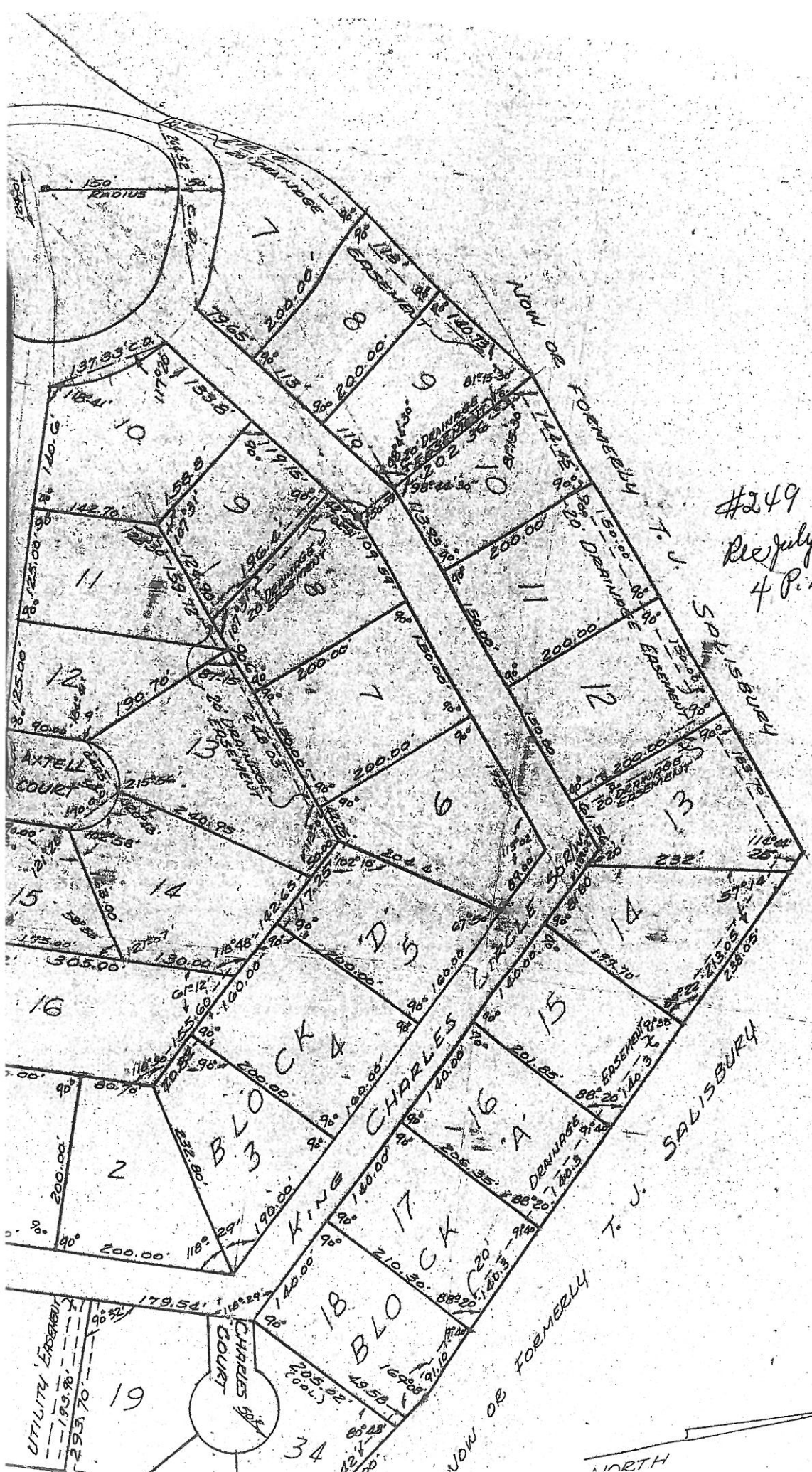
John Hammond  
(Print Name)

10/28/16  
(Date)

Victoria Hammond  
(Print Name)

 (Signature)





#249

Rec July 12 1972  
4 P.M.

89 King Charles - Lot 15

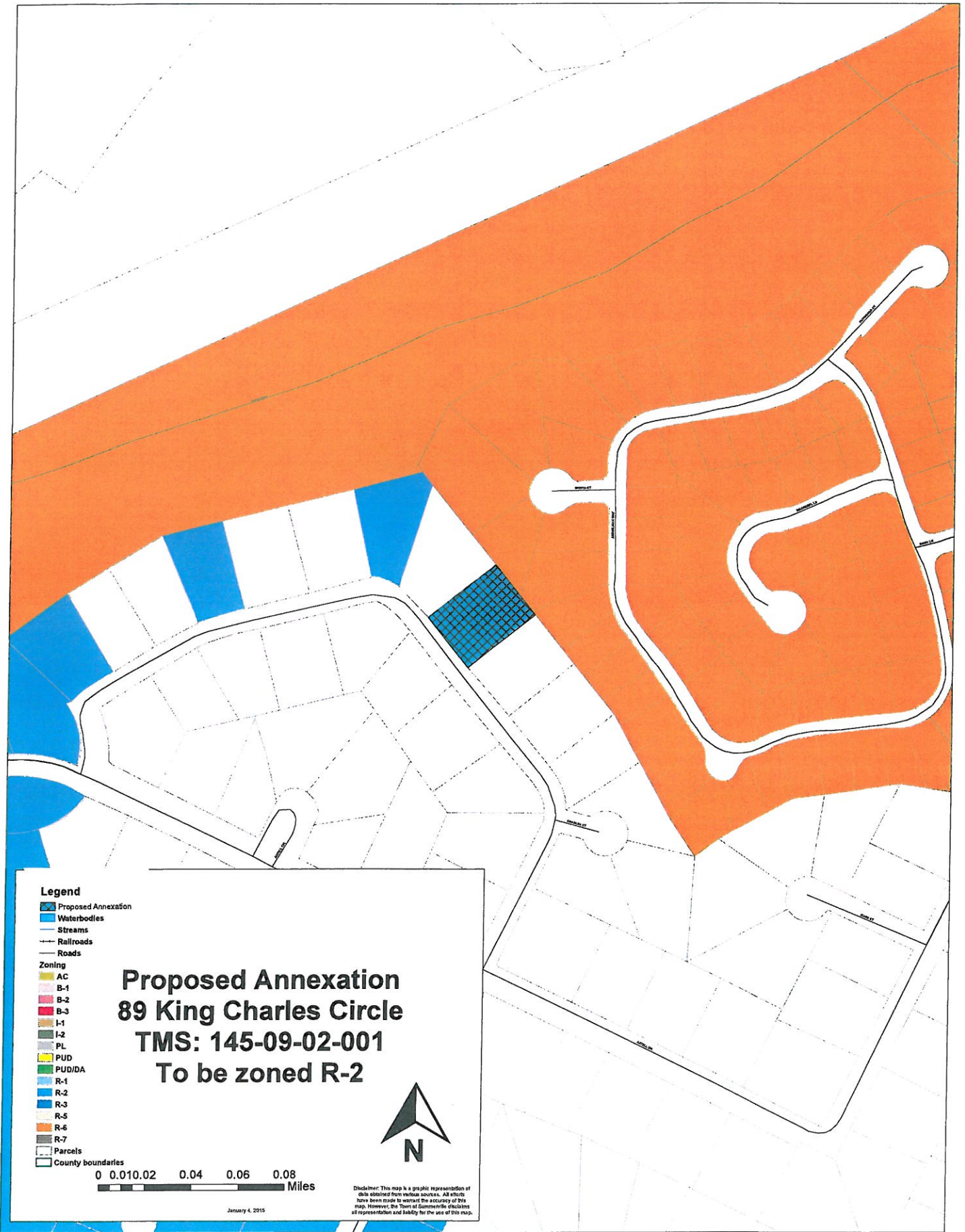
Vickie Hammond

770.778.3892

re: annex

NORTH









## TOWN OF SUMMERVILLE ANNEXATION APPLICATION



1. **OWNER INFORMATION:** Please complete the following application to request that your property be incorporated into the municipal limits of the Town of Summerville. Phone numbers will not be published. All owners of the property sign page two and submit it to the Planning Department.

\*Required

\*Property Owner(s): MWV Parks of Berkeley, LLC

\*Mailing Address: 201 Sigma Dr., Suite 400 \*Telephone: (843) 851-4603

\*City: Summerville \*State: SC \*Zip: 29486 Email: kenseeger@westrock.com

2. **PROPERTY INFORMATION:** Municipalities must provide the U. S. Justice Department with the population demographics and the land use of each property added to the Town. Write "None" if the property is vacant. Population data is used to create voting districts and does not impact the decision to approve your annexation.

\*Property Address: Nexton Park Blvd. Tax Map Number: portion of 221-00-00-175

\*Number of Current Residents: None \*Race of Current Residents: None

Current Land Use: vacant Future Land Use: Mixed-use  
(i.e. home, bank, carwash, etc.) (i.e. home, bank, carwash, etc.)

Current County Zoning Classification: PD-MU

Requested Zoning Classification: PUD-DA

3. **SUBMIT APPLICATION:** Please submit signed\* application and a copy of the recorded plat and recorded deed to:

**MAIL:** Town of Summerville, 200 S. Main Street, Planning Department

**PICKUP:** Call the Planning Department at 843.851.5200

**FAX:** 843.871.6954

NOTE: AS PLATS ARE RECORDED PRIOR TO APPROVAL OF THE PUD AMENDMENT AND ANNEXATION, NEW TMS #'S MAY BE ADDED TO THIS APPLICATION TO COVER THE SAME AREA TO BE ANNEXED.



STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF Berkeley )

PETITION FOR ANNEXATION

TO THE HONORABLE MAYOR AND TOWN COUNCIL OF SUMMERVILLE

WHEREAS, SECTION 5-3-150 (3) Code of laws of South Carolina provides for the annexation of an area or property which is contiguous to a Town by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation, and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation, and

WHEREAS, the area requesting annexation is described as follows, to wit:

SAID PROPERTY, located ~~at~~ near Nexton Park Blvd. (approximately 61.42 acres) to be annexed is identified by the Berkeley County Assessor's Office as Property Identification Number: TMS # 221-00-00-175 (portion) to include, if necessary to establish contiguity, any road, waterway, easement, railroad track, marshland or utility line that intervenes between this property and the municipal limits of the Town of Summerville.

NOW, THEREFORE, the undersigned petition the Town Council of Summerville to annex the above described area into the municipal limits of the Town of Summerville.

Dated this 21<sup>st</sup> day of December, 2016.

FREEHOLDERS (OWNERS) SIGNED

DATE OF SIGNATURE

(Signature)

KEVIN T. SEIBER  
PRESIDENT

(Date)

11-21-16

(Print Name)

KEVIN T. SEIBER

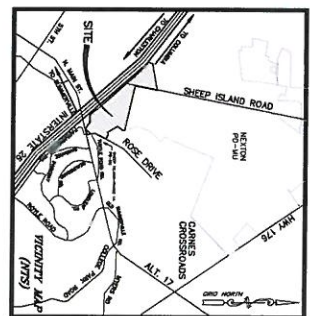
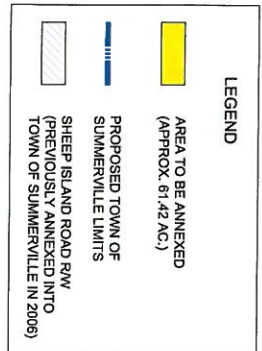
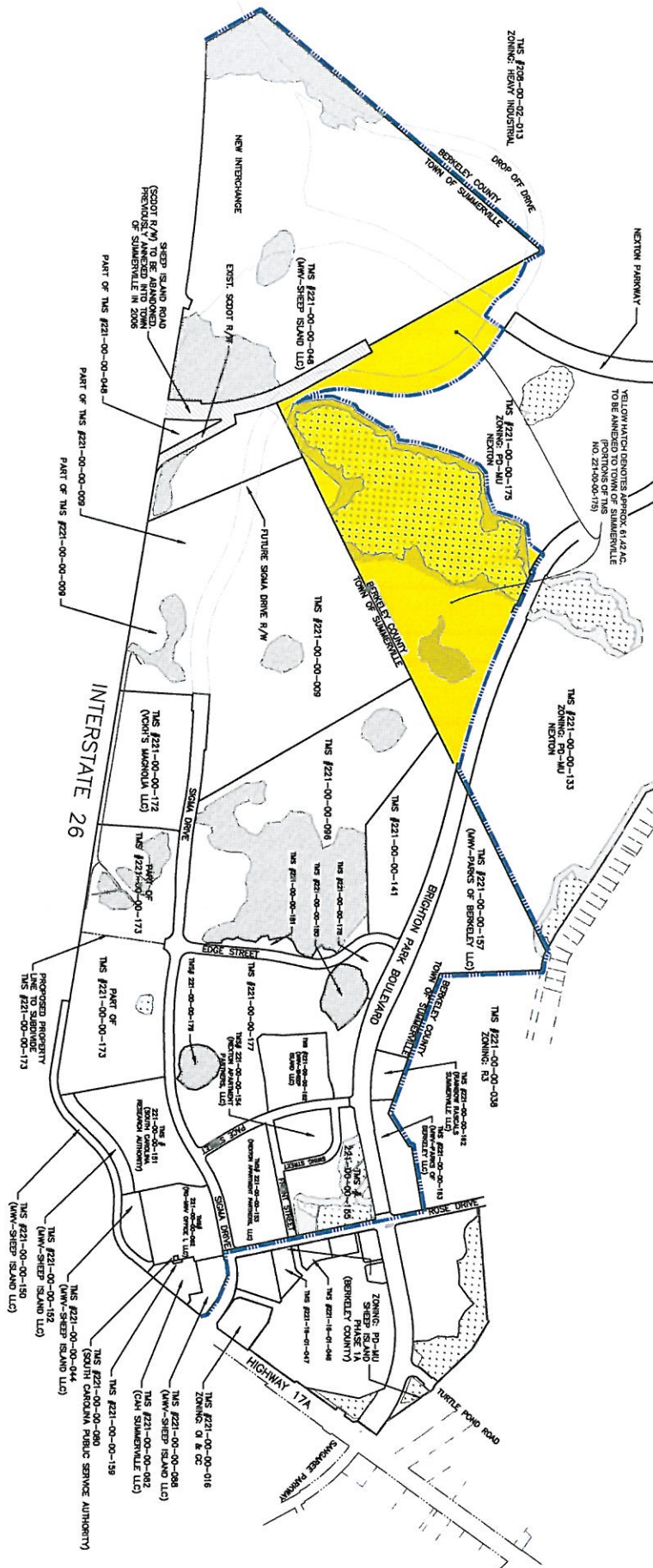
(Date)

(Signature)

(Print Name)

NOTE: AS PLATS ARE RECORDED PRIOR TO APPROVAL OF THE PUD AMENDMENT AND ANNEXATION, NEW TMS #'S MAY BE ADDED TO THIS APPLICATION TO COVER THE SAME AREA TO BE ANNEXED.





Project: Nexton Park Blvd., Suite 200  
 Date: 10/2/2011  
 Drawn by: [redacted]  
 Checked by: [redacted]  
 Title: [redacted]

DATE	REVISION	NOTES
10/2/2011	1	ISSUED FOR PERMITTING

PROJECT	10/2/2011
DATE	10/2/2011
DRAWN BY	[redacted]
CHECKED BY	[redacted]
TITLE	[redacted]

**ANNEXATION EXHIBIT**  
**1 of 1**  
**ANNEXATION EXHIBIT**  
**1 of 1**

**SEAMON WHITE SIDE**  
 621 Worlds Park Blvd., Suite 200  
 Greenville, SC 29601-3111  
 864.294.0534 (F) 864.294.0534





November 23, 2016

Ms. Madelyn Robinson  
Town of Summerville  
200 South Main Street  
Summerville, SC 29483

## **NEXTON PUD AMENDMENT SUMMERVILLE, SOUTH CAROLINA**

### **I. General Description of Proposed Project**

In April 2011, Summerville Town Council approved the Planned Unit Development (PUD) for 392.06 acres of land known as Parks of Berkeley/Sheep Island Tract owned by various subsidiaries of WestRock (formerly MeadWestvaco). Since this approval, the PUD has previously been amended to add additional parcels or modify the planned development guidelines. Since the last amendment in May of 2014, development plans have evolved, roads and infrastructure have been constructed, and several areas have been identified to be annexed into the Town of Summerville to provide consistency in development regulations and municipal services areas. As a result, WestRock requests annexation of portions of parcel 221-00-00-175 currently located in unincorporated Berkeley County totaling 61.42 acres (see Attachment 3-Annexation Exhibit).

WestRock requests a partial amendment and restatement of the PUD to amend the proposed land uses and intensities, modify the development criteria, and to incorporate the property to be annexed into the PUD (see Attachment 4-updated Parcel Map detailing the parcels to be included in the PUD amendment). The following tables list the parcels that are included or excluded in this request:

#### A. Parcels Included in PUD Amendment

<u>TMS No.</u>	<u>Owner</u>
221-00-00-048 (portion of, 14.75 acres)	MWV-Sheep Island, LLC
221-00-00-009	MWV-Sheep Island, LLC
221-00-00-096	MWV-Sheep Island, LLC
221-00-00-044	MWV-Sheep Island, LLC
221-00-00-141	MWV Parks of Berkeley LLC
221-00-00-155	MWV-Sheep Island, LLC
221-00-00-159	MWV-Sheep Island, LLC
221-00-00-150	MWV-Sheep Island, LLC
221-00-00-152	MWV-Sheep Island, LLC
221-00-00-173 (portion of, 11.41 acres)	MWV-Sheep Island, LLC
221-00-00-175 (portion of, 49.30 acres)	MWV Parks of Berkeley LLC
221-00-00-179	MWV-Sheep Island, LLC
221-00-00-181	MWV-Sheep Island, LLC
221-00-00-177	MWV-Sheep Island, LLC



221-00-00-180	MWV-Sheep Island, LLC
Sheep Island R/W (portion of, approx. 3.09 acres)	MWV-Sheep Island, LLC
MISC. Rights of Way	MWV-Sheep Island, LLC

#### B. Parcels Excluded with 2014 Amendment

<u>TMS No.</u>	<u>Owner</u>
221-00-00-151	South Carolina Research Authority
221-00-00-062	RG-MWV Office 1 LLC
221-00-00-082	CAH Summerville LLC
221-00-00-153	Nexton Apartment Partners, LLC
221-00-00-154	Nexton Apartment Partners, LLC

#### C. Parcels Excluded from this Amendment

Note: These parcels have been sold to other parties since the 2014 amendment or are currently under contract and are specifically excluded from this amendment:

<u>TMS No.</u>	<u>Owner</u>
221-00-00-172	VCKH's Magnolia LLC
221-00-00-182	HP Summerville Palmetto LLC
221-00-00-088 (portion of, approx. 0.62 acres)*	MWV-Sheep Island, LLC
221-00-00-088 (portion of, approx. 1.00 acres)*	Sumlot LLC
221-00-00-163	MWV Parks of Berkeley LLC
221-00-00-157	MWV Parks of Berkeley LLC
221-00-00-178	MWV-Sheep Island, LLC
221-00-00-048 (portion of, approx. 93.92 acres)	MWV-Sheep Island, LLC
221-00-00-175 (portion of, 12.12 acres)**	MWV Parks of Berkeley LLC
221-00-00-162	Rainbow Rascals Summerville LLC
221-00-00-173 (portion of, approx. 17.05 acres)	MWV-Sheep Island, LLC
Sheep Island Road R/W (portion of, approx. 0.99 acres)**	SCDOT (to be conveyed to WestRock)

\* Note 1: TMS numbers for these parcels pending.

\*\* Note 2: To be combined with adjacent tms 221-00-00-048 or reserved for future public right-of-way, and to be incorporated into Nexton PUD.

## **II. Proposed Land Uses and Intensities**

The Land Use Plan has been updated as a result of additional property being annexed, evolved development plans, construction of roads and infrastructure, an updated traffic study, and to delineate the parcels that are included and excluded from the PUD amendment. For the parcels being excluded, the land uses and intensities have previously been assigned via partial assignments and development rights. The following list summarizes the uses and intensities that have been assigned:

#### Land Use and Intensity for Property Excluded with this Amendment

General Office	465,000 sf
Medical Office	100,000 sf
Shopping Center/Retail	185,000 sf



Hotel	100 rooms
Daycare	10,762 sf
Restaurant	1,920 sf

Land Use and Intensity for Property Excluded with 2014 Amendment

General Office	185,272 sf
Multi-Family Residential	261 units
Restaurant	7,300 sf

A new development zone called the Nexton Commercial District has been created to include 18.50 acres of the annexed property and is delineated in the revised Land Use Plan (see Attachment 5). The Commercial District will allow a mixture of land uses including multi-family, offices, retail, hotels and restaurants. Access to the Commercial District will be from Brighton Park Boulevard to the North and Sigma Drive to the South. The anticipated land uses and intensities for the Nexton Commercial District and for the balance of the property included in this amendment are as follows (these are in addition to land uses and intensities on excluded properties):

Nexton Commercial District

General Office	150,000 sf
Shopping Center/Retail	800,000 sf
Multi-Family Residential	500 units
Hotel	200 rooms

Balance of Property

General Office	19,991 sf
Medical Office	89,000 sf
Shopping Center/Retail	136,000 sf
Hotel	445 rooms
Hospice	20,000 sf
Assisted Living	100 beds

*Note: If entitlements are not utilized on the Nexton Commercial District or the balance of the property, the entitlements may be transferred and converted to other allowable uses of equivalent intensity upon notification to Town Staff with a memo from the transportation engineer to note the conversion of uses and intensities, if any.*

The intensities listed above represent previously assigned uses and the square footages or unit counts anticipated in the Nexton PUD. Should the intensity of specific land uses need to increase over time, a corresponding reduction in intensities for other uses shall be required according to Table 1 (see Attachment 7-revised Land Use Conversion Matrix). Conversion rates in Table 1 are based on PM peak hour trip rates from the Institute of Transportation Engineer's Trip Generation Manual, 9<sup>th</sup> edition. In summary, the total PM peak hour trips will not exceed what is included in the accompanying traffic analysis based on the uses and intensities listed above. Any modifications will be coordinated with Town Staff during the planning stage, and a summary memo will be submitted by the transportation engineer to note the conversion of intensities and document the remaining intensities.



The PUD amendment also includes an update to the permitted uses to exclude Single Family Detached uses (see Attachment 9-Permitted Uses chart).

### **III. Development Criteria**

In an effort to allow for increased flexibility in the planning of the remaining parcels within the PUD amendment, modifications have been made to the Setback and Lot Criteria (see Attachment 8-revised Setback and Lot Criteria table). The following is a summary of the changes to the Setback and Lot Criteria:

- a. The Single Family Detached Zoning District has been removed.
- b. General Note 4 from the May 2014 PUD amendment allowing Accessory Dwelling Units has been eliminated.
- c. Maximum impervious coverage for the Multi-Family zoning district has been revised to 80%.
- d. A provision to allow the Maximum Impervious Coverage ratio to be increased or eliminated for the Multi-Family and Other Uses zoning districts as approved by the Nexton Design Review Committee and Town of Summerville Engineer.
- e. Added note to clarify that mixed use buildings are classified within the "All Other Uses" zoning district.
- f. Setback Encroachments: Note 2 of the General Notes has been revised to allow encroachments of architectural elements into yard areas/setbacks as approved by applicable Town officials provided applicable building codes are met, but not into utility easements unless approved in writing by the utility company.
- g. Front Property Line/Ingress-Egress Easement Encroachments: Note 7 was added to the General Notes to allow elements such as awnings, signage, and balconies of commercial and multi-family buildings to extend beyond the front property line or ingress-egress easement, as approved by applicable Town officials and provided applicable building codes are met.

### **VII. Transportation Considerations**

An updated Traffic Impact Analysis has been prepared by Bihl Engineering, LLC addressing the updated Land Use Plan, access to the development, existing and proposed traffic volumes and distributions, and the effects of the project on the adjacent roadways. A copy of this report is included as Attachment 6.

Should you have questions, or need additional information, please contact our office.

SEAMON, WHITESIDE +ASSOCIATES



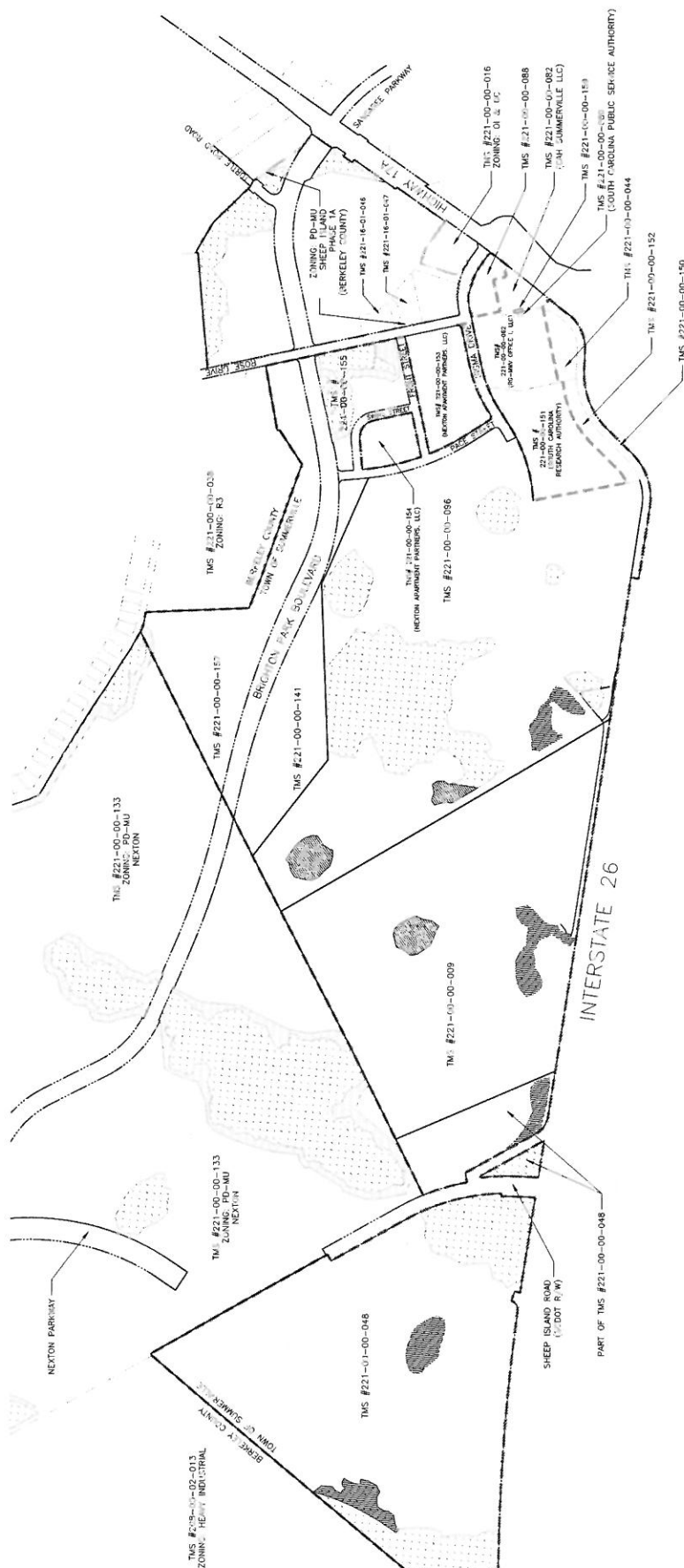
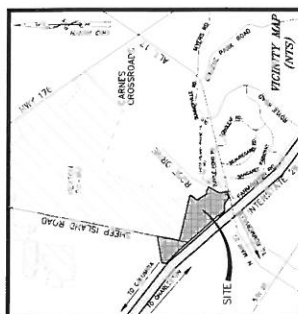
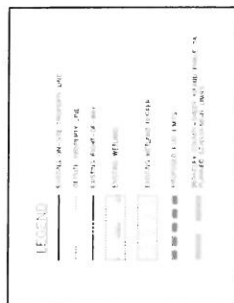
Buddy Pusser, PE  
Division Head

TRP//trp



Attachment 1: 2014 PUD Amendment Parcel Map




[illegible][illegible][illegible]

Parcel Map

1 or 1

DRAWN BY:	TRP
CHECKED BY:	SNW
PROJECT	2011
DATE	10/12/2010



**Seamon Whitehead & Associates**  
 Civil Engineering / Landscape Architecture

NEXTON  
(FORMERLY KNOWN AS PARKS OF BERKELEY/  
SHEEP ISLAND TRACT)  
SUMMERVILLE, SC

DRAWN BY:	TRP
CHECKED BY:	SNW
PROJECT	2011
DATE	10/12/2010



Attachment 2: 2014 PUD Amendment Land Use Plan

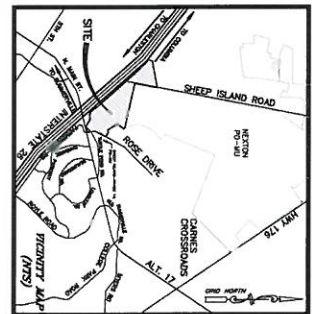
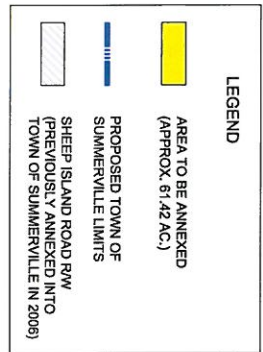
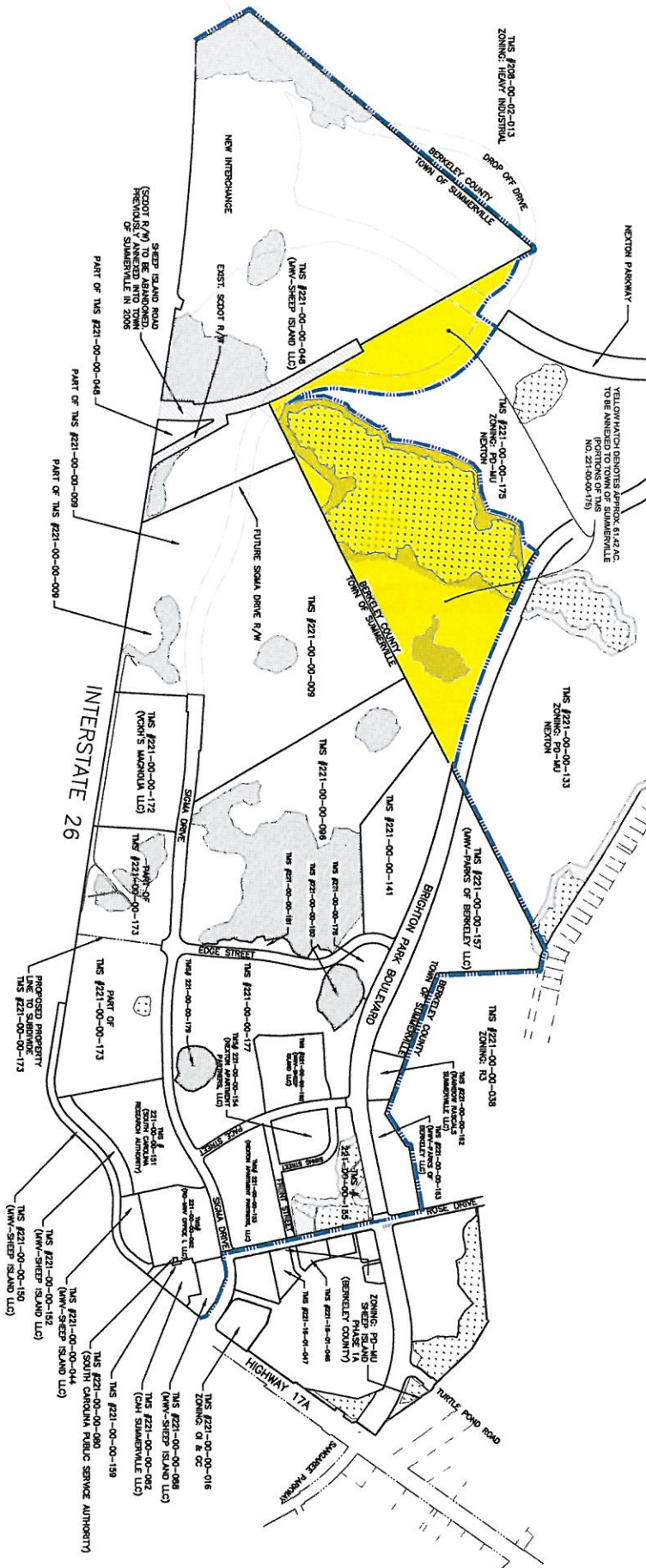
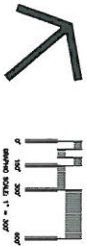






### Attachment 3: Annexation Exhibit





NEXTON  
(FORMERLY KNOWN AS PARKS OF BERKELEY/  
SHEEP ISLAND TRACT)  
SUMMERVILLE, SC



**SW SEAMONWHITESIDE**  
901 Woods Park Blvd., Suite 200  
Greenville, SC 29605-7048  
(864) 298-0534 (F) 864 298-0535

REVISION	DATE	BY	NOTES
1	10/27/2011	JM	ISSUED FOR PERMIT
2	11/01/2011	JM	REVISED TO SHOW PROPOSED TOWN LIMITS
3	11/01/2011	JM	REVISED TO SHOW PROPOSED TOWN LIMITS
4	11/01/2011	JM	REVISED TO SHOW PROPOSED TOWN LIMITS
5	11/01/2011	JM	REVISED TO SHOW PROPOSED TOWN LIMITS
6	11/01/2011	JM	REVISED TO SHOW PROPOSED TOWN LIMITS
7	11/01/2011	JM	REVISED TO SHOW PROPOSED TOWN LIMITS
8	11/01/2011	JM	REVISED TO SHOW PROPOSED TOWN LIMITS
9	11/01/2011	JM	REVISED TO SHOW PROPOSED TOWN LIMITS
10	11/01/2011	JM	REVISED TO SHOW PROPOSED TOWN LIMITS

DRAWN BY: JM  
CHECKED BY: JM  
PROJECT: NEX  
DATE: 10/27/2011



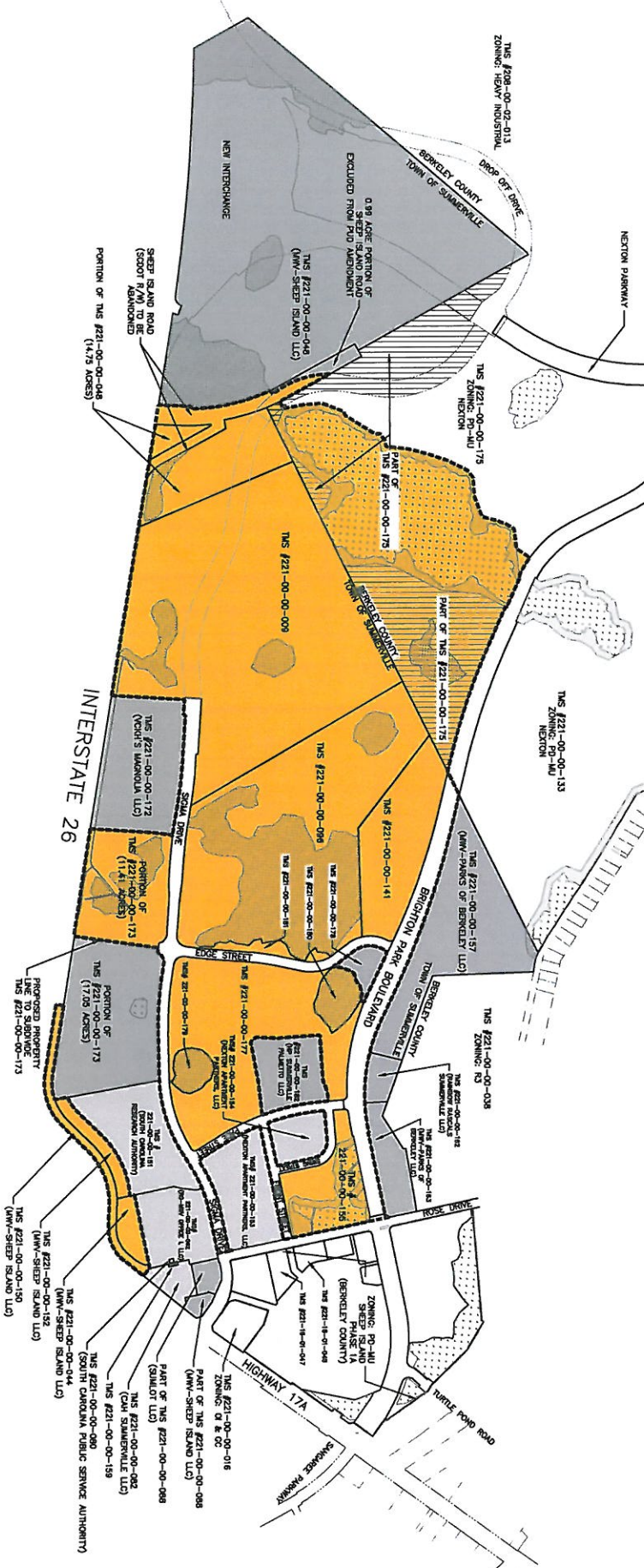
#### Attachment 4: Updated Parcel Map



### LEGEND

TRIP NO	DATE	AREA (SQ)	CLIMBING ZONING	OWNERSHIP STATUS
221-00-00-048	(PORTION OF)	14,475	PAID	WESTROCK
221-00-00-009		46,676	PAID	WESTROCK
221-00-00-086		46,075	PAID	WESTROCK
221-00-00-044		1,698	PAID	WESTROCK
221-00-00-141		12,778	PAID	WESTROCK
221-00-00-155		2,686	PAID	WESTROCK
221-00-00-156		17,079	PAID	WESTROCK
221-00-00-150		2,739	PAID	WESTROCK
221-00-00-152		1,971	PAID	WESTROCK
221-00-00-173		11,412	PAID	WESTROCK
221-00-00-175		49,30	BERKELEY COUNTY (NEXTON CO.-W)	WESTROCK
221-00-00-179		1,699	PAID	WESTROCK
221-00-00-181		1,233	PAID	WESTROCK
221-00-00-177		22,002	PAID	WESTROCK
221-00-00-180		2,453	PAID	WESTROCK
SHEEP ISLAND RD E/W (PORTION OF)		3,501	N/A	WESTROCK
WCS. RIGHTS-OF-WAY		20,317	PAID	WESTROCK
TOTAL		266,118		

NOTE: PARCEL CHART SHOWS ONLY PARCELS INCLUDED IN THIS PUD AMENDMENT



NEXTON  
(FORMERLY KNOWN AS PARKS OF BERKELEY/  
SHEEP ISLAND TRACT)  
SUMMERVILLE, SC



**SW** SEAMON WHITESIDE

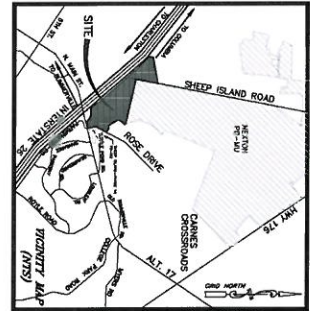
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501 Wando Park Blvd., Suite 200  
Mount Pleasant, SC 29464-7549  
(843.884.1667) (F) (843.884.0944)

607 Fendleton Street, Suite 100  
Greenville, SC 29601-3219  
(864.298.0534) (F) (864.298.8018)

DATE	PROJECT	NO.	REVISION	DATE	REVISION
10/24/2013	10/24/2013	1	1	10/24/2013	1
10/24/2013	10/24/2013	2	2	10/24/2013	2
10/24/2013	10/24/2013	3	3	10/24/2013	3
10/24/2013	10/24/2013	4	4	10/24/2013	4
10/24/2013	10/24/2013	5	5	10/24/2013	5
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10/24/2013	10/24/2013	50	50	10/24/2013	50
10/24/2013	10/24/2013	51	51	10/24/2013	51
10/24/2013	10/24/2013				





TOTAL LAND USAGE CHART			
NEXTON - PLANNED DEVELOPMENT			
PROPOSED ZONING	DEVELOPABLE AREA (AC.)	ROAD E.C.W. BUFFER TO REMAIN (AC.)	TOTAL (AC.)
COMMERCIAL DISTRICT	99.99	-	99.99
BALANCE OF PROPERTY	71.55	51.27	64.69
MIXED - USE			167.51

NOTES:

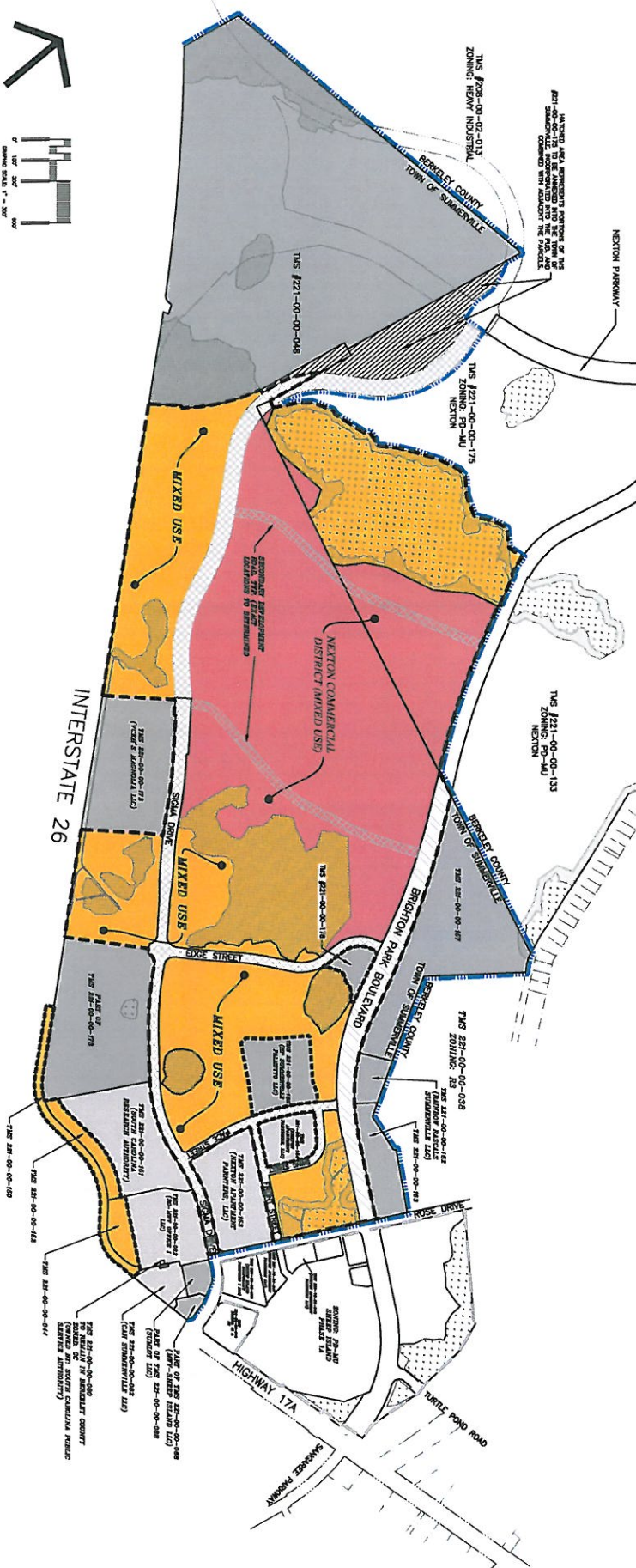
1. All acreages and proposed property lines are rough estimations and subject to change.
2. Refer to PO guidelines for bond loss liability.
3. Land Usage Chart only accurate for areas included in this PUD amendment.

FEDERAL GOVERNMENT PROPOSED USES								
	GENERAL OFFICE (S.F.)	MEDICAL OFFICE (S.F.)	MULTI-FAMILY RESIDENTIAL (4 UNITS OF S.F.)	SHOPPING CENTER/RETAIL (S.F.)	HOTEL (4 ROOMS)	HOBBY (S.F.)	ASSISTED LIVING (4 OF BEDS)	OTHER (S.F.)
COMMERCIAL DISTRICT	160,000	N/A	500 UNITS	600,000	200	N/A	N/A	N/A
BALANCE OF PROPERTY	19,981	89,000	N/A	136,000	445	20,000	100	N/A
NOTES:								

1. Additional uses stem from the multi-modal nature and are subject to change. The anticipated uses shown in this report likely represent some of the completed uses for the historic area.
2. Refer to PD guidelines for local-use flexibility.
3. Additional development uses and variations on specific uses at the Commercial Center if the additional traffic improvements are constructed as outlined in the traffic study prepared by BNL Engineering.

NEXTON - PLANNED DEVELOPMENT						
GENERAL DESCRIPTION OF PROJECT	MEDICAL OFFICE (S.F.)	BUILT-PALMY UNIT-FAMILY (# UNITS OF S.F.)	SHOPPING CENTER/RESTAURANT (S.F.)	HOTEL (# ROOMS)	DAYCARE (S.F.)	RESTAURANT (S.F.)
PARCELS EXCLUDED WITH SOLID FLOOD ABANDONMENT	198,272	261	N/A	N/A	N/A	7,300
PARCELS EXCLUDED WITH SOLID FLOOD ABANDONMENT	466,000	N/A	195,000	100	10,766	1,950

**APPROVED USES FOR PARCELS EXCLUDED FROM PUD AMENDMENT**

[illegible]

NEXTON  
(FORMERLY KNOWN AS PARKS OF BERKELEY/  
SHEEP ISLAND TRACT)  
SUMMERSVILLE, SC



**SW** SEAMONWHITESIDE  
521 Wando Park Blvd., Suite 200  
Mount Pleasant, SC 29464-7849  
607 Pendleton Street, Suite 300  
Greenville, SC 29601-3319  
and 10640 Hwy. 106, S.C. 29505



## Attachment 6: Bihl Engineering Traffic Impact Analysis



Bihl Engineering Traffic Impact Analysis Submitted Under Separate Cover



Attachment 7: Revised Land Use Conversion Matrix



Land Use Conversion Matrix

Land Use:	Apartment D.U.	Residential Condominium/ Townhouse D.U.	Hotel Rooms	Hospital Beds	General Office Building KSF	Medical/Dental Office Building KSF	Shopping Center/Retail KSF	Business Park KSF	Quality Restaurant KSF	High-Turnover (Sit-Down) Restaurant KSF	Health Club KSF	Hospice (Nursing Home) KSF	Daycare KSF	Assisted Living UNITS
	1 D.U. is equivalent to	1 D.U. is equivalent to	1 room is equivalent to	1 bed is equivalent to	1 KSF is equivalent to	1 KSF is equivalent to	1 KSF is equivalent to	1 KSF is equivalent to	1 KSF is equivalent to	1 KSF is equivalent to	1 KSF is equivalent to	1 KSF is equivalent to	1 KSF is equivalent to	1 unit is equivalent to
Apartment	1,000	0.981	0.850	0.359	0.342	0.143	0.137	0.405	0.068	0.052	0.144	0.080	0.041	2.318
Residential Condominium/Townhouse	1,020	1,000	0.867	0.366	0.349	0.146	0.140	0.413	0.069	0.053	0.147	0.703	0.042	2.364
Hotel	1,176	1,154	1,000	0.423	0.403	0.168	0.162	0.476	0.080	0.061	0.170	0.811	0.049	2.727
Hospital	2,784	2,731	2,367	1,000	0.953	0.398	0.383	1,127	0.190	0.144	0.402	1,919	0.115	6,455
General Office Building	2,922	2,865	2,483	1,049	1,000	0.417	0.402	1,183	0.199	0.151	0.422	2,014	0.121	6,773
Medical/Dental Office Building	7,000	6,865	5,940	2,514	2,396	1,000	0.962	2,833	0.477	0.362	1,011	4,824	0.289	16,227
Shopping Center/Retail	7,275	7,135	6,183	2,613	2,490	1,039	1,000	2,944	0.495	0.377	1,051	5,014	0.301	16,864
Business Park	2,471	2,423	2,100	0.887	0.846	0.353	0.340	1,000	0.168	0.128	0.357	1,703	0.102	5,727
Quality Restaurant	14,686	14,404	12,483	5,275	5,027	2,098	2,019	5,944	1,000	0.760	2,122	10,122	0.607	34,045
High-Turnover (Sit-Down) Restaurant	19,314	18,942	16,417	6,917	6,611	2,759	2,655	7,817	1,315	1,000	2,790	13,311	0.798	44,773
Health Club	6,922	6,788	5,383	2,486	2,369	0.989	0.951	2,802	0.471	0.358	1,000	4,770	0.286	16,045
Hospice (Nursing Home)	1,451	1,423	1,238	0.521	0.497	0.207	0.199	0.587	0.099	0.075	0.210	1,000	0.080	3,364
Daycare	24,196	23,731	20,567	8,690	8,282	3,457	3,326	9,794	1,648	1,253	3,496	16,676	1,000	56,091
Assisted Living	0.431	0.423	0.367	0.155	0.148	0.062	0.059	0.175	0.029	0.022	0.062	0.297	0.018	1,000

1. Conversion rates based on PM peak hour trip rates from ITE's Trip Generation, 9th Edition.



Attachment 8: Revised Setback and Lot Criteria



### III DEVELOPMENT CRITERIA

#### A. Setback and Lot Criteria

Table 2									
Zoning District	Min. Lot Size	Min. Lot Width		Min. Front Yd. (ft.)	Min. Side Yd. (ft.)	Min. Rear Yd. (ft.)	Accessory Structure Setback (ft.)		Max. Bld. Height (ft.)
Single Family Attached	N/A	16	24	20 (a) or (c)	5 (b) (c)	20 (c)	5	5	40
Multi-Family	N/A	16	30	20 (a) or (c)	10 (c)	20 (c)	5	5	55
All other uses (including mixed use buildings)	N/A	50	50	20 (c)	10 (b) (c)	10 (c)	5	5	N/A

#### FOOTNOTES:

- Minimum front yard when parking is provided in rear of fee simple townhouse shall be 10 feet.
- Zero setback if buildings are adjoining. Buffer widths control setbacks adjacent to other uses.
- Yard setbacks for portions of a lot adjacent to a street or alley may be reduced or eliminated as approved by the Nexton Design Review Committee to allow proposed structures to address the street as long as minimum parking requirements are met.
- Maximum Impervious Coverage ratio allowed may be increased or eliminated as approved by the Nexton Design Review Committee and Town of Summerville Engineer.

#### GENERAL NOTES

- Minimum distance between buildings shall be determined based on Fire Code requirements at the time the building permit application is submitted.
- Setbacks are measured to the face of proposed structures. Steps, eaves, chimneys, and other architectural elements may encroach in yard areas/setbacks as approved by applicable Town officials (building, fire, and engineering) and provided all applicable building codes are met. Encroachments into utility easements are not allowed unless approved in writing by the utility company.
- Accessory structures are permitted in the rear and side yards only with indicated minimum setbacks from the side and rear property lines or ingress/egress easements, whichever is greater. If the necessary structure is placed in that portion of the yard that fronts a second street frontage of the property, the setback from the second street frontage property line for the accessory structure is the required setback for the primary structure.
- Building heights are measured to the eave of structure.
- Lots bounded by more than one street may have multiple front yards. Assignment of property address may be permitted from the street the building fronts regardless of where the property is accessed.



6. Lots to be deeded to the POA by the developer/builder are exempt from minimum lot sizes and yard requirements. Allowable uses of POA lots include private roadways, utility easements, parks and recreation, personal property storage (RV's, boats), community uses, stormwater facilities, and other similar uses excluding any for profit uses (residential, commercial, industrial, etc.).
7. Awnings, balconies, and other architectural elements of commercial and multi-family buildings may extend beyond the front property line or ingress-egress easement as approved by applicable Town officials (building, fire, and engineering), and provided all applicable building codes are met.



## Attachment 9: Permitted Uses

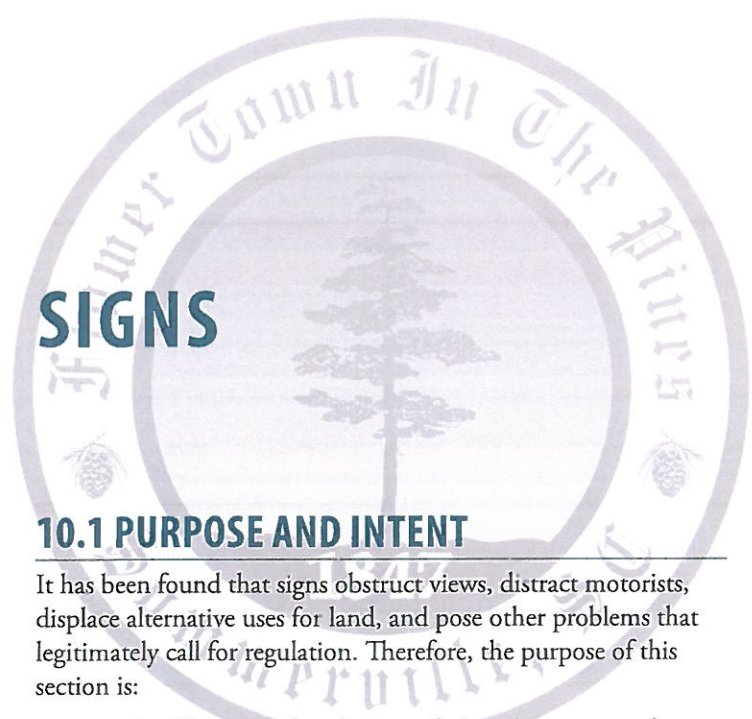


## Nexton PUD Amendment: Permitted Uses

- (a) *Permitted uses.* A building or premises may be used for the following purposes:
1. All types of business and commercial activity related to retail sales, business and professional offices, financial institutions, gasoline filling stations and repair garages, personal service shops and limited wholesale activity.
  2. Restaurants, bars, limited amusement centers, liquor stores and party shops.
  3. Private clubs, walk-in theaters, assembly and concert halls.
  4. Commercial kennels and veterinary clinics.
  5. Any residential uses and uses allowed in B-1 or B-2 of the Summerville Zoning Code with the exception of single family detached.
  6. New and or used car, truck and machinery sales and or repair.
  7. Funeral homes.
  8. Major amusement facilities including golf driving ranges, golf courses, roller skating rinks and swimming pools.
  9. Hotels and motels.
  10. Campgrounds and overnight trailer courts.
  11. Wholesale, warehouse and storage facilities including building materials and lumberyards.
  12. Drive-in theaters and restaurants.
  13. Transportation facilities including bus depots, trucking facilities and services that require the use of a fleet of vehicles
- (b) *Accessory uses.* Accessory uses are as follows: Uses on the same lot and customarily incidental to the permitted uses including, but not limited to, private garages or parking structures for vehicles, off-street parking and loading zones and storage facilities.



PL  
12.19.16



# SIGNS

## 10.1 PURPOSE AND INTENT

It has been found that signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. Therefore, the purpose of this section is:

- A. To ensure that signs are designed, constructed, installed and maintained according to minimum standards to safeguard life, health, property and public welfare;
- B. To establish limitations on signs in order to ensure they are appropriate to the land, building or use to which they are appurtenant and are adequate for their intended purpose while balancing individual and community interests.
- C. To regulate the size, color, illumination, movement, materials, location, height and condition of all signs placed on private property for exterior observation, thus ensuring the protection of property values, the character of the various neighborhoods, the creation of a convenient, and attractive and harmonious community, and to encourage economic development.
- D. To differentiate between areas that are auto-oriented and those that are pedestrian-oriented.
- E. To promote signs that are compatible with the use, landscape and architecture of the surrounding buildings and sites to which they are appurtenant, are legible and appropriate to the activity to which they pertain, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.
- F. To ensure that the constitutionally guaranteed right of free expression is protected.

# 10



## SECTIONS

10.1 PURPOSE AND INTENT	145
10.2 APPLICABILITY	146
10.3 RESIDENTIAL DISTRICT SIGNS	147
10.4 MIXED-USE, COMMERCIAL AND INDUSTRIAL SIGNAGE	148
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10.8 SIGNS THAT DO NOT REQUIRE A PERMIT	155
10.9 ADMINISTRATION	156



## 10.2 APPLICABILITY

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### 10.2.1 APPLICABILITY

- A. The regulations of this chapter shall apply to the placement, construction, erection, alteration, replacement, maintenance, use, type, quantity, location, material, and size of all exterior signs within the planning jurisdiction of the Town of Summerville, except for those types of signs noted in Section 10.7.2 (Exemptions). No sign shall be erected, altered or maintained unless it is in compliance with the regulations of this Section.
- B. A permit shall be required for the erection, alteration or reconstruction of any sign unless otherwise noted and the permit shall be issued by the Administrator. Only one application and permit shall be required for multiple signs that are associated with the same development project.
- C. All applications for signs requiring a permit in the Historic Overlay District as defined by Section 2.3 -- except for sandwich boards, informational and temporary event signs -- shall require additional approval of the Commercial Design Review Board (CDRB) according to the procedure as defined in Section 13.X.X.

### 10.2.2 GENERAL TO ALL SIGNS

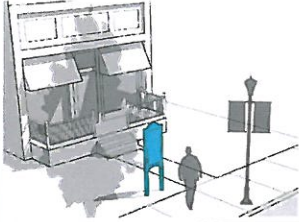
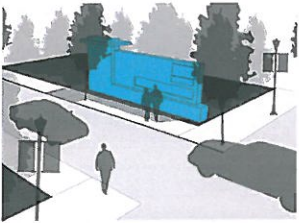
- A. Content Neutral Regulations: Except where otherwise permitted by law, any signs, display or device allowed under this article may contain, in lieu of any other copy, an otherwise lawful noncommercial message that does not direct attention to a business operated for profit, or to a commodity of service for sale, and that complies with size, lighting and spacing requirements of this article.
- B. Compliance with Other Laws: All signs shall comply with all relevant State and Federal laws.
- C. Signs to Be Located Outside of Sight Distance Triangles: No sign may be located within any designated sight distance triangle.



## 10.3 RESIDENTIAL DISTRICT SIGNS

### 10.3.1 APPLICABLE DISTRICTS: N-R, GR-2, GR-5, MF-R. AND MH-R

### 10.3.2 SIGNS REQUIRING A PERMIT

PERMITTED SIGN TYPES	LOCATION	MAXIMUM AREA PER SIGN FACE	MAXIMUM HEIGHT	OTHER REQUIREMENTS	MAXIMUM NUMBER
<b>A. Yard Sign:</b> A small permanent sign placed on private property in a yard visible from a public street. 	In yard or mounted on a building	4 sq ft	4 ft	Permit not required	One
<b>B. Development Sign:</b> A sign for the purposes of designating an entrance to a neighborhood, apartment development, mobile home park, or similar location. 	Minimum setback of 10 feet from the public right-of-way.	32 sq ft	5 ft	Use of sign permitted for residential neighborhood, churches, schools, or similar institutions	Two, provided that each are greater than 400 feet apart and along separate entrances/streets

### 10.3.3 RESIDENTIAL SIGNAGE NOT REQUIRING A PERMIT

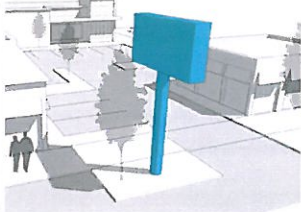

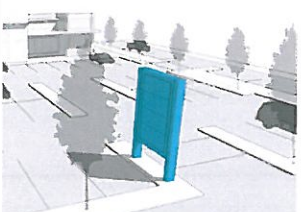
- A. Incidental Signs: All signs under 2 square feet in area (e.g., building addresses, wall-mounted tenant identification) are permitted and do not require a sign permit. There shall be a maximum of two incidental signs per tenant or residence.
- B. Warning Signs: Warning signs such as “No trespassing,” “High voltage,” and “Beware of dog” signs are permitted in addition to other allowed signage up to a total of 2 for each five acres. The maximum size shall be 2 square feet.
- C. Temporary Signs per Section 10.X.X.





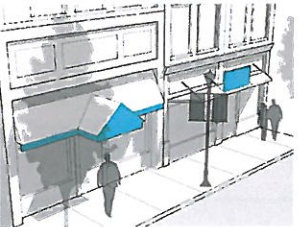
## 10.4 MIXED-USE, COMMERCIAL AND INDUSTRIAL SIGNAGE

### 10.4.1 APPLICABLE DISTRICTS: N-MX, D-MX, UC-MX, N-B, G-B, L-I, H-I, AC, PL

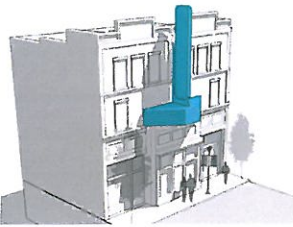
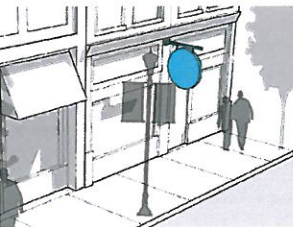
### 10.4.2 SIGNS REQUIRING A PERMIT (Adapts Sections 32-138(c), 32-242, 32-245, 32-246, 32-247, 32-250, 32-252)

PERMITTED SIGN TYPES	MAXIMUM AREA & HEIGHT	OTHER REQUIREMENTS	MAXIMUM NUMBER
<b>FREESTANDING SIGNS</b>			
<b>A. Pole Sign</b>  Applicability: Permitted in H-B only for all individual buildings whose main entrance is set back at least 20 feet from the ROW.	G-B Only Maximum Area: 50 sq ft Maximum Height: 18 ft  <b>[H-B WITHIN 1,000 FT OF I-26            Maximum Area: 50 sq ft            Maximum Height: 60 ft] -            Recommend Removing</b>	<ul style="list-style-type: none"> <li>May be located anywhere within front or side yard setback unless otherwise noted.</li> <li>There shall be eight (8) feet between the ground and the base of the sign face.</li> <li>Posts, poles or other supporting structures may not exceed 1 foot in width, depth or diameter.</li> <li>Pole signs must be complemented by ornamental plantings at the base.</li> <li>No other freestanding signs are permitted if a Pole Sign is used</li> <li>Internal illumination is permitted</li> </ul>	1 per parcel
<b>B. Monument Sign</b>  Applicability: Permitted for all individual buildings whose main entrance is set back at least 20 feet from the ROW.	H-I, L-I, G-B Maximum Area: 50 sq ft Maximum Height: 8 ft  N-B Maximum Area: 50 sq ft Maximum Height: 6 ft  ALL OTHER DISTRICTS Maximum Area: 36 sq ft Maximum Height: 6 ft	<ul style="list-style-type: none"> <li>May be located anywhere within front or side yard setback unless otherwise noted.</li> <li>There shall be a maximum of two (2) feet between the ground and the base of the sign face.</li> <li>The base and surrounding structural components of a monument sign must be finished with materials consistent with those of the principal structure on the lot.</li> <li>Monument signs shall be complemented by ornamental plantings at the base.</li> <li>Changeable copy shall be subject to 10.4.5.</li> <li>External illumination only</li> </ul>	1 per parcel. An additional monument sign is permitted on another street frontage on lots greater than 3 acres, if it is located 300 feet from an existing monument sign.
<b>C. Multi-Tenant Signs</b>  Applicability: Permitted for all multi-tenant buildings and centers in H-I, L-I, and H-B greater than 40,000 square feet.	Maximum Area: 75 sq ft Maximum Height: 15 ft	<ul style="list-style-type: none"> <li>May be located anywhere within front or side yard setback unless otherwise noted.</li> <li>There shall be a maximum of two (2) feet between the ground and the base of the sign face.</li> <li>The base and surrounding structural components of a monument sign must be finished with materials consistent with those of the principal structure on the lot.</li> <li>Signage is permitted for each individual tenant.</li> <li>No pole signs are permitted for an individual building if a multi-tenant sign is used.</li> <li>External illumination only</li> </ul>	1 per multi-tenant building/center. An additional multi-tenant sign is permitted on another street frontage on lots greater than 3 acres, if it is located 300 feet from an existing monument sign.



PERMITTED SIGN TYPES	MAXIMUM AREA & HEIGHT	OTHER REQUIREMENTS	MAXIMUM NUMBER
<b>BUILDING SIGNS</b>			
<b>D. Wall signs</b>  <p>Applicability: Permitted for all individual buildings and tenant spaces on building façades that face the right-of-way, pedestrian passageways and/or parking areas associated with the establishment.</p>	<p>Maximum Area: 30 sq ft or 10% (whichever is greater)</p> <p>Maximum Height (for all signs): 18 ft above sidewalk grade except with CDRB approval</p>	<ul style="list-style-type: none"> <li>May be located anywhere within front or side yard setback unless otherwise noted.</li> <li>The maximum allowable wall signage for each tenant in a multi-occupancy building is computed by measuring the street front wall area for each tenant's space.</li> <li>Signs may not project more than 12 inches from wall surface</li> <li>Neon, up to 6 square feet of sign area may be used for letters, border and logos (Neon is not permitted in the Historic District Overlay).</li> <li>Changeable copy shall be subject to 10.4.5.</li> <li>Internally illuminated signs, including LED and neon signs are not permitted N-MX, D-MX or in the Historic District Overlay</li> </ul>	Subject to total allowable area
<b>E. Window signs</b>  <p>Applicability: Permitted in H-B only for all individual buildings whose main entrance is set back at least 20 feet from the ROW.</p>	<p>Maximum Area: 25% of each window</p>	<ul style="list-style-type: none"> <li>Window signs are allowed on the first floor of the interior window glass so long as the building is not in a residential district</li> <li>Permitted on first floor and second floor windows only</li> <li>Neon signs mounted on the inside face of windows shall not exceed 10 sq. ft. and shall be counted as part of the total window sign area</li> <li>Good visibility, both in and out of the window, must be maintained</li> </ul>	Subject to total allowable area
<b>F. Awning/Canopy signs</b>  <p>Applicability: On the awning or canopy above entrance doors or storefront windows</p>	<p>Maximum Area: 30 sq ft or 10% (whichever is greater)</p> <p>Maximum Height: 18 ft above sidewalk grade (applies to both the sign and the awning/canopy)</p> <p>Minimum clearance between the bottom of the sign and the sidewalk: 7 feet</p>	<ul style="list-style-type: none"> <li>If used with wall signs total square footage may not exceed total allowable wall sign area</li> <li>Illumination is not permitted</li> <li>For Gas/Fueling Station canopies, refer to 3.3.7.B.</li> </ul>	1 per tenant



PERMITTED SIGN TYPES	MAXIMUM AREA & HEIGHT	OTHER REQUIREMENTS	MAXIMUM NUMBER
<b>G. Marquee signs</b> 	<b>IN LIEU OF WALL SIGN</b> 30 sq ft or 10% (whichever is greater)  Maximum Height (for all signs): May extend above the parapet a maximum of 4 ft  Minimum clearance between the bottom of the sign and the sidewalk: 10 feet	<ul style="list-style-type: none"> <li>No portion of a sign, awning or canopy may be within 2 feet of a street or parking area.</li> <li>Changeable copy shall be subject to 10.4.5.</li> <li>Internal illumination is permitted</li> </ul>	n/a
<b>H. Projecting signs</b>  <p>Applicability: Permitted for all individual buildings and tenant spaces on building façades that face the right-of-way, pedestrian passageways and/or parking areas associated with the establishment.</p>	<b>IN LIEU OF CANOPY/AWNING SIGN</b> Maximum Area: 10 sq ft  Maximum Height: 18 ft above sidewalk grade (applies to both the sign and the awning/canopy)  Minimum clearance between the bottom of the sign and the sidewalk: 7 feet  <b>IN LIEU OF WALL SIGN</b> 30 sq ft or 10% (whichever is less)  Maximum Height (for all signs): Third Story or 24 ft (whichever is greater)	<ul style="list-style-type: none"> <li>No portion of a sign, awning or canopy may be within 2 feet of a street or parking area.</li> <li>Must be perpendicular to the building façade</li> <li>Maximum Signage Thickness: 4 feet</li> <li>Maximum Projection from Wall: 4 feet</li> <li>External illumination only except with CDRB approval</li> </ul>	1 per tenant

#### 10.4.4 MIXED-USE, COMMERCIAL, INDUSTRIAL SIGNAGE NOT REQUIRING A PERMIT

- A. Incidental Signs: All signs under 4 square feet in area (e.g., building addresses, wall-mounted tenant identification, small free standing directional arrows) are permitted and do not require a sign permit. There shall be a maximum of two incidental signs per tenant or building.
- B. Warning Signs: Warning signs such as “No trespassing,” “High voltage,” and “Beware of dog” signs are permitted in addition to other allowed signage up to a total of 2 for each five acres. The maximum size shall be 4 square feet.
- C. Temporary Signs per Section 10.6.
- D. Sandwich Board Signs:
  1. Placement: Shall be placed directly in front of the associated establishment
  2. Sidewalk Clearance: Signs must leave a minimum horizontal clearance of 5 feet on the sidewalk and must not interfere with pedestrian circulation or block required sight visibility triangles
  3. Duration: Must be removed each day after the business is closed
  4. Maximum Area: 6 square feet
  5. Maximum Height: 3 feet



#### 10.4.6 GENERAL STANDARDS FOR MIXED-USE, COMMERCIAL, AND INDUSTRIAL SIGNAGE

- A. Architectural Compatibility: Signage shall be architecturally compatible with the style, composition, materials, colors and details of the building and with other signs on nearby buildings, while providing for adequate identification of the business.
- B. Signs to be Located Outside of Sight Distance Triangles: No sign may be located within any designated sight distance triangle.
- C. Minimum Setback: The minimum setback shall be 10 feet from any public-right-of-way and 5 feet from any adjacent property line.
- D. Uniform Sign Plan: A uniform sign plan shall be required for all office and retail complexes and multi-tenant buildings. All tenants shall comply with the approved uniform sign plan.

### 10.5 CHANGEABLE COPY SIGNS

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#### 10.5.1 APPLICABILITY

Changeable copy signs are allowed only at indoor entertainment, gas/fueling stations, and civic uses and parks.

#### 10.5.2 APPROVAL REQUIRED

Reader Boards or other signs with changeable letters or images (manual or digital) are not allowed by-right as freestanding or wall signs. Such signs may be allowed for the following uses and approved must be approved by the Administrator:

- A. Educational establishments: kindergarten, elementary, junior, senior or degree educational programs.
- B. Churches or spiritual institutions.
- C. Commercial establishments:
  - a. Fuel Sales: For fuel sales establishments the changeable copy shall not be more than 40% of the sign face area
  - b. Other establishments: For other establishments the changeable copy shall not be more than 25% of the maximum freestanding signage area subject to approval by the CDRB. Churches, schools and theaters are exempt from this requirement.
- D. Sign Area: Reader Boards count as part of the computation for freestanding or wall signs.
- E. Digital Signs: Digital signs with changeable copy shall be subject to the same size and placement limitations as non-digital signage subject to approval by the CDRB.



## 10.6 TEMPORARY SIGNS

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(Adapts 32-249)

### 10.6.1 TEMPORARY SIGNS ON CONSTRUCTION SITES

- A. Permitted Location: Temporary project construction or marketing signs are allowed on the frontage of a project site only.
- B. Time Period: Such signs shall not be installed prior to the issuance of a building permit for the development.
- C. Project Construction Signs: Commercial project construction signs must be removed upon issuance of a certificate of occupancy. Residential project construction signs must be removed when 95% of the lots owned by the developer or builder are sold. For mixed-use development, containing both commercial and residential, signs must be removed on attainment of a certificate of occupancy.
- D. Maximum Area: 32 square feet
- E. Maximum Width: 8 feet
- F. Maximum Height: 6 feet
- G. Maximum Number: One sign for each 10 acres

### 10.6.2 TEMPORARY BANNERS

- A. Time Period: 60 days maximum
- B. Permitted Location: Above a public entrance and attached securely to the building
- C. Maximum Area: 15 square feet with a vertical dimension no greater than 3 feet.
- D. Maximum Height: 18 feet with 7 feet clear headroom above sidewalk
- E. Maximum Number: One banner per frontage per tenant; 2 banners total per tenant per event

### 10.6.3 TEMPORARY CIVIC BANNERS

- A. Description: Banners for the purpose of announcing public events sponsored by non-profit organizations or the Town of Summerville.
- B. Time Period: Completed applications must be received at least 10 days before the event. Banners may be posted up to 48 hours prior to the event and must be removed immediately after the event has concluded. Banners may not remain in place for more than 7 days.



## 10.7 PROHIBITED SIGNS

(Adapts 32-242, 32-246(6))

The following signs are prohibited:

- A. General: Signs violating any provision of any law of the state relative to outdoor advertising.
- B. Signs that may Confuse Motorists: No sign displaying intermittent lights resembling the flashing lights customarily used in traffic signals or on police, fire or rescue vehicles is permitted, nor shall any sign use the words "stop", "danger" or any other word, phrase, symbol or character in a manner that might mislead or confuse an automobile or other vehicular driver.
- C. Signs in the Right-of-Way: Except as provided in this Section, no signs, whether temporary or permanent, except traffic signs, signals and information signs erected by a public agency, are permitted within any street or highway right-of-way. (See sub-Section 10.8.F for a specific exemption for holiday decorations).
- D. Random Signage: Signs painted on or attached to trees, fences and telephone or other utility poles or signs painted on rocks or other natural features or painted on the roofs of buildings are prohibited.
- E. Moving, Flashing or Audible Signs: Signs that can potentially distract drivers with the following features are prohibited:
  1. Signs which display intermittent or flashing lights or moving parts are not permitted, except barber's poles, time/temperature signs and temporary signs erected by a public agency.
  2. Portable or mobile signs utilizing any type of illumination or electrical connections except temporary signs erected by a public agency.
  3. Permanent moving signs or devices designed to attract attention with any of the following features:
    - a. All or part of which move by any means regardless of whether they contain written messages.
    - b. Set in motion by movement of the atmosphere or by mechanical, electrical or other means, including but not limited to: flags (other than those of government origin and not used for commercial purposes), pennants, posters, propellers, discs, ribbons, streamers, forced air tubes, strings of light bulbs and spinners
    - c. Flashing signs or devices displaying flashing or intermittent lights or lights of changing degrees of intensity, except for signs displaying time and temperature and temporary signs erected by a public agency.
    - d. Signs which emit audible sound, odor or visible matter.
  4. Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying such sign. (This does not apply to lettering on buses, taxis or vehicles operating during the normal course of business.)
- F. Portable or Towed Signs:
  1. Any sign constructed so as to permit its being used as a conveyance upon public streets, and usually parked in public places or private property primarily for the purpose of public display. (This does not apply to lettering on buses, taxis or vehicles operating during the normal course of business.)
  2. Commercial vehicles, other than standard passenger vehicles, shall be parked as far from the



- street as reasonably possible during non-business hours if such vehicles bear a commercial message. This is to avoid the vehicle serving as a freestanding sign.
  3. The parking in public view of any vehicle bearing a commercial message which is not in operating condition or lacking current registration.
  4. Any sign on or towed behind a boat, raft, or aircraft.
- G. Advertising: Signs that identify or advertise a product or business not located at the premises.
- H. Safety Hazard: Signs that create a safety hazard by obstructing clear view of pedestrian and vehicular traffic, or sited in a manner that obstructs free ingress to or egress from a required door, window, fire escape or other required exit.
- I. Content / Copy Limitations:
1. Signs containing statements, words or pictures of obscene or pornographic character that is not considered protected speech.
  2. Signs copying or imitating official government signs or which purport to have official government status.
  3. Any sign and/or sign structure which obstructs the view of, may be confused with or purports to be a governmental or traffic direction/safety sign.
  4. Signs using the words “stop,” “danger” or any word, phrase, symbol or character in a manner that misleads, confuses or distracts a vehicle driver.
- J. Abandoned or Deteriorated Signs.
1. Sign structures no longer containing signs
  2. Signs made structurally sound by unsightly bracing
  3. Abandoned or dilapidated signs
  4. Signs referencing businesses which have been out of business for more than 30 days.
- K. Searchlights and beacons
- L. Inflatable Signs and Tethered Balloons
- M. Street Furniture: Signs on street furniture (benches, trash cans, etc.) except for 1 incidental sign less than 64 square inches in area.
- N. Banners, Flags and Pennants: Except as permitted / described in subsections 10.6 and 10.8.
- O. Signs in Marshes, Wetlands and Required Environmental Buffers
- P. Human Billboards: Any signs which are worn, held or otherwise displayed on or by a person or persons on public property.



## 10.8 SIGNS THAT DO NOT REQUIRE A PERMIT

(Adapts 32-243)

No Sign Permit is required for the following signs:

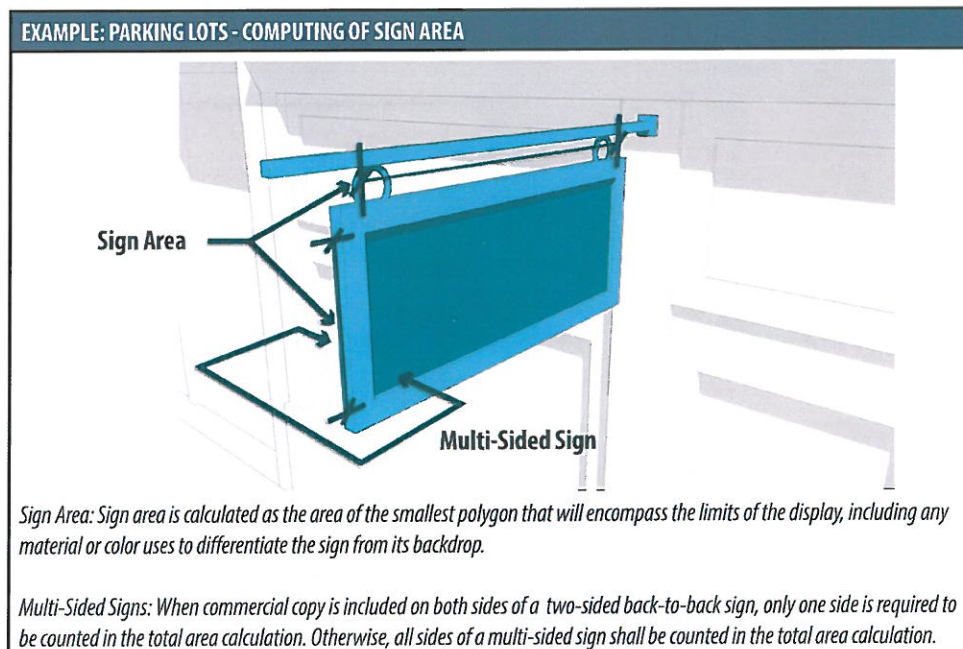
- A. Government Signs: Includes signs required by any law, order or governmental regulation.
- B. Incidental Building Signs Visible from a Public Street: Signs that are no greater than 6 inches in height and a total of 2 square feet in area per tenant.
- C. Historic Markers: Historical markers, monuments or signs as recognized by local, state or federal authorities.
- D. Utilities: Signs denoting the location of underground utilities.
- E. Decorations: Temporary holiday decorations.
- F. Temporary/Special Event Signs: Governmental, nonprofit, school, church or civic club-sponsored signs related to special events shall meet the following standards:
  1. Sign shall be permitted 30 days prior to a function and shall be removed within 3 days after the function.
  2. Signs shall be located on private property or government property in the case of government events.
- G. Flags: Flags bearing the official design of a government, educational institution, church, fraternal organization or ornamental/decorative in design shall be allowed. Such flags shall not exceed 60 square feet in area and shall not be flown on a pole greater than 24 feet in height
- H. Signs Erected During an Election Season: During the period thirty (30) days prior to a political primary or election until seven (7) days following such an event the maximum number of temporary signs allowed and the need for any permits shall be waived.
- I. Wall Murals
  1. Historic Overlay District: Exterior wall murals are only allowed on commercial buildings in the Historic Overlay District, and as such, are subject to approval by the Historic Review Board in accordance with the procedures set out for the granting of permits in Section 13.X. In granting a permit, the Historic Review Board shall find that the proposed Wall Mural is in compliance with the criteria in this subsection
  2. Wall Murals as Public Art: Wall murals that serve as community-based public art projects may be permitted on structures around the Town outside the Historic Overlay District such as bridge underpasses or other infrastructure elements subject to the requirements of this subsection. A permit must be obtained from the Administrator prior to the commencement of any such work or art project.
  3. Maximum Area: The size of a Wall Mural must be proportional to the wall on which it is painted and the existing structures nearby.
  4. Maximum Number: Only one Wall Mural on one façade is allowed per structure.
  5. Additional Requirements
    - a. Materials: The materials used to produce the Wall Mural shall be appropriate for outdoor use (i.e., long lasting and graffiti-resistant to the greatest extent possible).
    - b. Colors: Neon, fluorescent, or reflective colors or materials are not permitted.
    - c. Content: Wall Murals shall contain non-commercial copy only.



## 10.9 ADMINISTRATION

### 10.9.1 SIGN AREA MEASUREMENT

- A. The area of a sign shall be computed by means of the entire surface on which the letters, emblem or other display is to be located not including the framework, bracing or decorative fence or wall when the fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself.
- B. The sign area of a sign with more than one face shall be calculated to include the entire area of all faces or parts which is visible from one vantage point. When two identical faces are placed back to back so that both faces cannot be viewed from any one point at the same time, and when the sign faces are part of the same sign structure and are not more than ten inches apart, the sign shall be computed by the measurement of one of the faces.
- C. All sides of a multi-sided sign shall be included in the computation of area, except that the total area of a 2-sided back-to-back to sign shall only be calculated as the area of one of the sides as illustrated below.

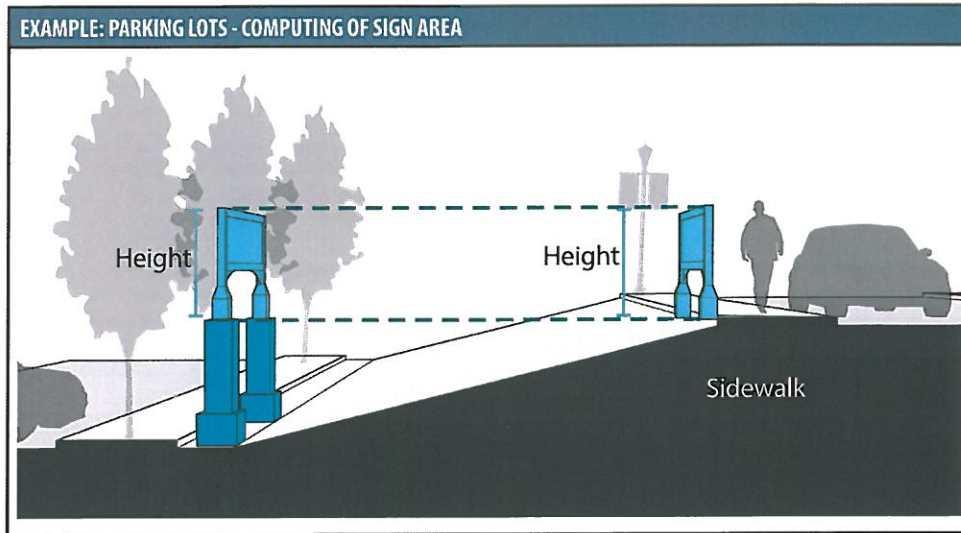


### 10.9.2 SIGN HEIGHT MEASUREMENT

- A. The height of the sign shall be computed as the distance from the base of the sign or sign structure a normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of either:
  1. Existing grade prior to construction; or
  2. The newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign; or



3. The grade of the fronting sidewalk, provided that the total height does not exceed twice the permitted height.



- B. No sign may exceed above any parapet or be placed upon any roof surface, except that for purpose of this section, roof surfaces constructed at an angle of 75 degrees or more from horizontal shall be regarded as wall space. This division shall not apply to displays, including lighting, erected in connection with the observation of holidays on the roofs of residential structures.
- C. Grade May Not be Altered for Sign: Altering the average adjacent grade for installing a sign is subject to the discretionary approval by the Administrator. It is not intended to allow for mounding that would circumvent any requirements of any applicable ordinance.

### 10.9.3 REMOVAL OF SIGNS IN THE RIGHT-OF-WAY

Permitted signs shall be located outside of the street right-of-way, behind sidewalk areas and outside of required site triangles, except where encroachments are specifically permitted by the provisions of this chapter. No non-governmental sign shall be attached to or painted on power poles, light poles, telephone poles, traffic signs or other objects not intended to support a sign. Any sign installed or placed on public property, except in conformance with the requirements of this section, shall be forfeited to the public and subject to confiscation. In addition, to other remedies hereunder, the town shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of the sign.

### 10.9.4 SIGN MAINTENANCE

Signs shall be kept in proper repair. The following maintenance requirements must be observed for all signs visible from any public street or highway within the jurisdiction of the Town of Summerville.

- A. **Maintained in a State of Good Repair:** All signs and all components thereof, including without limitation supports, braces, and anchors, shall be kept in a state of good repair. Any sign in such a state of disrepair, or signs which lack adequate lettering, fixtures or devices, so that they no longer effectively communicate a message as originally intended, shall be immediately removed.
- B. **Surface Appearance:** No sign shall have more than 20% of its surface area covered with disfigured, cracked, ripped or peeling paint or poster paper for a period of more than 30 successive days.
- C. **Broken Displays:** No sign shall remain with a bent or broken display area, broken supports, loose



appendages or struts or stand more than 15 degrees from the perpendicular for a period of more than 30 successive days.

- D. Illuminated Signs: No indirect or internally illuminated sign shall have only partial illumination for a period of more than 30 successive days.
- E. Flags: Frayed, tattered or otherwise distressed flags must be taken down or replaced within a period of 30 successive days.

#### 10.9.5 LIMITATION OF NON-CONFORMING SIGNS

- A. Signs erected after the passage of this section shall conform to the standards set forth herein. All legal nonconforming signs in existence as of the effective date of this chapter may be continued and shall be maintained in good condition. Nothing in this ordinance shall prevent the normal maintenance of an existing non-conforming sign. However, a nonconforming sign shall not be:
  - 1. Changed to another type or shape of nonconforming sign; provided, however, the copy, content, or message of the sign may be changed so long as the shape or size of the sign is not altered.
  - 2. Structurally altered, except for normal maintenance.
  - 3. Physically expanded, enlarged, or extended in any manner.
  - 4. Reestablished after discontinuance for 60 days.
  - 5. Reestablished after the sign is removed, except for normal maintenance.
  - 6. Reestablished after damage or destruction where the estimated expense of reconstruction exceeds 50% of the appraised replacement cost of the sign in its entirety.
- B. For any non-conforming sign in existence prior to the adoption of this part an application for a sign permit must be submitted to the Administrator. The Administrator may prepare the application to maintain record of the following information:
  - 1. Approximate month and year the sign was installed;
  - 2. Owner;
  - 3. Value of the sign at installation;
  - 4. Approximate value of the sign at date of the application; and
  - 5. Size and area and height of the sign.
- C. The Administrator may also request information which would be adequate for such a purpose of record keeping. Failure to apply for a sign permit shall constitute a violation of the ordinance which could result in the removal of the sign by the town.